



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

April 3, 2022

BY EMAIL

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

**Re: *United States of America v. Julio Marquez-Alejandro and Luis Blondet,
16 Cr. 387 (JMF)***

Dear Judge Furman:

We respectfully write to inform the Court and the defendants about information relating to Hector Velez-Santiago.

On or about March 8, 2022, a day after Mr. Velez-Santiago arrived in New York from Puerto Rico, Mr. Velez-Santiago met with the United States Attorney's Office ("USAO") and a Postal Inspector ("Postal Inspector-1"), who is the primary case agent, for trial preparation purposes. During that conversation, the USAO communicated to Mr. Velez-Santiago what he could expect with respect to relocation and security assistance after he finished testifying and left New York. A screenshot from the notes of that conversation, which was produced at 3512-056, is below:

Security Conversation

- HVS cannot live in Puerto Rico because of safety concerns
- HVS staying in hotel in US in advance of trial – USAO paying
- HVS given \$500 for each week that he's in US preparing for testimony – for food/incidentals
- After testifying, USAO will try to help HVS with relocation funds. USAO will not be able to pay for anything besides relocation funds (likely 2 months' rent/application fee etc.); USPS will help with additional expenses as needed.

In advance of Mr. Velez-Santiago's testimony, the United States Postal Inspection Service ("USPIS") set aside \$15,000 for Mr. Velez-Santiago's additional expenses related to security and relocation. On or about March 11, 2022, the USPIS informed the USAO of its intention to provide this money to Mr. Velez-Santiago in a lump-sum payment before he left New York. The USPIS informed the USAO that Mr. Velez-Santiago was not aware of the amount of payment.

Hon. Jesse M. Furman

April 3, 2022

Page 2 of 4

Mr. Velez-Santiago testified at trial on March 24 and March 25, 2022. On direct examination, Mr. Velez-Santiago testified about prior payments he had received from USPIS and the USAO including a \$5,000 payment after he was released from prison in Puerto Rico, airfare to New York and “two to three” \$500 payments in the week leading up to his testimony. (See March 24 Tr. at 738:21-739:3). Mr. Velez-Santiago also testified to the following about the possibility of future payments:

Q: What do you expect the government to do for you after you finish testifying?
A: For them to leave me alone.
Q: Do you expect to receive anything from the government after you finish testifying?
A: No, I don’t expect anything from them, but if they can help me for moving costs for my safety, I will take it.
Q: Has the government discussed with you before the possibility of helping you with moving costs?
A: Yes

(See March 24 Tr. at 739:4-739:13). Mr. Velez-Santiago also testified about payments from the Government on cross-examination. (See March 25 Tr. at 809:13-815:14).

On April 1, 2022, the USAO received a receipt from the USPIS indicating that USPIS had, as expected, provided Mr. Velez-Santiago with a one-time payment of \$15,000 for his security and relocation on March 31, 2022. (See Exhibit A). In connection with preparing the appropriate disclosure, the USAO took the following steps and learned the following new information:

- The receipt of the \$15,000 payment to Mr. Velez-Santiago, which is authored by a Postal Inspector (“Postal Inspector-2”), states: “[Mr. Velez-Santiago] was provided \$15,000.00 in US Currency as agreed upon by [Mr. Velez-Santiago], the NY Division of the USPIS and the U.S. Attorneys Office for the SDNY.” Because it was the USAO’s understanding that there had been no prior agreement between USPIS and Mr. Velez-Santiago about an amount of payment, on April 3, 2022, the USAO had a telephone call with Postal Inspector-2 and asked what he meant by that statement. Postal Inspector-2 stated, in substance and in part, that he intended to convey that Mr. Velez-Santiago agreed on March 31, 2022, to take the money that was given to him. Postal Inspector-2 also stated that the reference to the USAO was meant to make clear that the USAO was aware of the payment between the USPIS and Mr. Velez-Santiago. (See Exhibit B).
- On April 3, 2022, the USAO also had several calls with Postal Inspector-1 to confirm his understanding of Mr. Velez-Santiago’s knowledge of potential financial assistance in advance of his testimony. During those calls, Postal Inspector-1 confirmed that Mr. Velez-Santiago was never informed of the amount of money that he would receive from USPIS. (See Exhibit C).

Hon. Jesse M. Furman

April 3, 2022

Page 3 of 4

- Postal Inspector-1 also informed the USAO today that he told Mr. Velez-Santiago at some point before the date of his testimony that USPIS would provide him with his relocation funds before he left New York. (*See Exhibit D*).
- Postal Inspector-1 also informed the USAO today that he thought the Drug Enforcement Administration (“DEA”) may be planning to pay Mr. Velez-Santiago relocation payments as well. This was the first time that the USAO learned that the DEA was planning to assist with Mr. Velez-Santiago’s relocation expenses. Thereafter, the USAO had a call with a DEA Special Agent (“Special Agent-1”), who has previously participated in the case, to inquire as to any discussions between the DEA and Mr. Velez-Santiago about possible payment from the DEA. Special Agent-1 told the USAO that he and Postal Inspector-1 spoke to Mr. Velez-Santiago in Puerto Rico, which the USAO understands was on or about February 10, 2022, and that Special Agent-1 told Mr. Velez-Santiago that assistance for some of Mr. Velez-Santiago’s relocation expenses would come from the DEA, but that he could not make any guarantees. Special Agent-1 said that he has not had any communications with Mr. Velez-Santiago since that date. Special Agent-1 further stated that the DEA has taken internal steps to pay Mr. Velez-Santiago \$5,000 to contribute to his relocation expenses [REDACTED]
[REDACTED] (*See Exhibit D*).
- Postal Inspector-1 did not recall being present for a conversation between Special Agent-1 and Mr. Velez-Santiago in Puerto Rico during which Special Agent-1 told Mr. Velez-Santiago about the DEA contributing to his relocation payments. Postal Inspector-1 did, however, think that Special Agent-1 told him afterward that he talked to Mr. Velez-Santiago about expenses. Postal Inspector-1 also informed the USAO today that, after Mr. Velez-Santiago’s testimony, Mr. Velez-Santiago asked if he would be receiving money from the DEA. Postal Inspector-1 recalls telling Mr. Velez-Santiago, in substance, that any payments from the DEA was a DEA-issue but that Postal Inspector-1 did not think Mr. Velez-Santiago would get anything before Mr. Velez-Santiago left New York. (*See Exhibit D*).

We also want to inform the Court and defendants that the following additional payments have been made to Mr. Velez-Santiago after his testimony. In particular: (1) the U.S. Attorney’s Office continued to pay for Mr. Velez-Santiago’s hotel through no later than March 31, 2022 and then paid travel expenses relating to his relocation (e.g., flight, cab fare), and; (2) USPIS made an additional interim expenses payment to Mr. Velez-Santiago of \$200 for the final partial week of his stay in New York.

Hon. Jesse M. Furman

April 3, 2022

Page 4 of 4

The Government will be prepared to discuss the above-described matters with the Court tomorrow.

Respectfully submitted,

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